

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

THOMAS MICHAEL BARRETT, M.D.
16377 Main Street, Suite A
Hesperia, CA 92345

Physician's and Surgeon's
Certificate No. A 26556

Respondent.

Case No. 09-2002-134128

**AGREEMENT FOR
SURRENDER OF LICENSE**

TO ALL PARTIES:

IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-entitled proceedings, that the following matters are true:

1. Complainant, David T. Thornton, is the Executive Director of the Medical Board of California, Department of Consumer Affairs ("Board").
2. Thomas Michael Barrett, M.D., ("Respondent") has carefully read and fully understands the effect of this Agreement.
3. Respondent understands that by signing this Agreement he is enabling the Division of Medical Quality to issue this order accepting the surrender of his license without further process. Respondent understands and agrees that Board staff and counsel for complainant may communicate directly with the Division regarding this Agreement, without notice to or participation by Respondent. The Division will not be disqualified from further action in this matter by virtue of its consideration of this Agreement.

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1 4. Respondent acknowledges there is current disciplinary action against his
2 license, that on August 29, 2003, a First Amended Accusation was filed against him and on
3 December 22, 2003, a Decision was rendered wherein his license was revoked, with the
4 revocation stayed, 10 years probation with various terms and conditions.

5 5. The current disciplinary action provides in pertinent part, "Following the
6 effective date of this decision, if respondent ceases practicing due to retirement, health
7 reasons, or is otherwise unable to satisfy the terms and conditions of probation, respondent
8 may voluntarily tender his certificate to the Board." (Order # 09-2002-134128)

9 6. Upon acceptance of the Agreement by the Division, Respondent understands
10 he will no longer be permitted to practice as a physician and surgeon in California, and also
11 agrees to surrender his wallet certificate and wall license and D.E.A. Certificate(s).

12 7. Respondent hereby represents that he does not intend to seek relicensure or
13 reinstatement as a physician and surgeon. Respondent fully understands and agrees,
14 however, that if Respondent ever files an application for relicensure or reinstatement in the
15 State of California, the Division shall treat it as a Petition for Reinstatement of a revoked
16 license in effect at the time the Petition is filed. In addition, any Medical Board
17 Investigation Report(s), including all referenced documents and other exhibits, upon which
18 the Division is predicated, and any such Investigation Report(s), attachments, and other
19 exhibits, that may be generated subsequent to the filing of this Agreement for Surrender of
20 License, shall be admissible as direct evidence, and any time-based defenses, such as laches
21 or any applicable statute of limitations, shall be waived when the Division determines
22 whether to grant or deny the Petition.

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ACCEPTANCE

I, Thomas Michael Barrett, M.D., have carefully read the above Agreement and enter into it freely and voluntarily, with the optional advice of counsel, and with full knowledge of its force and effect, do hereby surrender Physician's and Surgeon's Certificate No. A 26556, to the Division of Medical Quality, Medical Board of California for its acceptance. By signing this Agreement for Surrender of License, I recognize that upon its formal acceptance by the Division, I will lose all rights and privileges to practice as a Physician and Surgeon in the State of California and that I have delivered to the Division my wallet certificate and wall license.

Thomas Michael Barrett MD
THOMAS MICHAEL BARRETT, M.D.

11/19/05
Date

Ann B. Rosenberg
Attorney or Witness

11/19/05
Date

Joan M. Jerzak
JOAN M. JERZAK
Chief of Enforcement
Division of Medical Quality

12-16-05
Date